

Libby Community Advisory Group

Meeting Summary

August 24, 2000

Introductions

Gerald Mueller and Libby Community Advisory Group (CAG) members present introduced themselves. A list of the members in attendance is attached below as Appendix 1. Clinton Maynard joined the CAG as a member.

Agenda

Mr. Mueller reviewed an agenda for this meeting including the following topics:

- EPA/DEQ & ATSDR Reports
- Goal Statement
- Implementation
- Next Steps - Meeting Date and Agenda

EPA/DEQ Reports

Because no EPA personnel could attend this meeting, John Constan with the Montana Department of Environmental Quality (DEQ) gave the EPA status site update report.

Status of the Cleanups

Export Plant Site - W.R. Grace has begun construction of temporary structures at the Millworks West new location on Highway 2. All buildings should be completed by September 25, so that Mill Works West should be reopened by the end of September.

W.R. Grace began removing debris out of the old planer building at the export plant site and transporting it to the mine for disposal. DEQ inspected W.R. Grace procedures at the Export Site and at the mine and found that it was following proper procedure to ensure that the removal and transportation is not resulting in asbestos exposure off the site, i.e., double bagging the debris and sealing the trucks and treating the ground with calcium chloride to prevent dust. However, because of the threat of fire and a dispute with EPA over the protective gear worn by mine personnel, shipment of material to the mine has stopped. W.R. Grace has 11 ambient air monitoring stations around the Export Site operating all day, every day. EPA has an ambient air monitoring station at the ball field which it is using three or four times per week as a check on W.R. Grace monitoring. EPA will discuss the ambient air monitoring data at the next CAG meeting..

The City had a meeting with W.R. Grace last Monday night to consider selling the export site back to W.R. Grace. The City has not made a decision and will meet again in September to discuss the City's options.

CAG Member Question - Will W.R. Grace have to get permits for a land fill at the mine to dispose of material there?

Answer - No. The mine is EPA's preferred disposal option, and it has exempted the site from normal land fill permitting requirements.

CAG Member Question - The question of the “safe” asbestos fiber size is not resolved. Did the ambient monitoring pick up any asbestos?

Answer - Preliminary review of the ambient air sampling data indicates that one sample picked up asbestos fibers. We would prefer no exposure to asbestos, but W.R. Grace is taking all necessary measures to prevent dust from leaving the site.

Audience Member Question - Is the City selling the export plant site back to Grace to avoid liability?

Answer - In the City’s discussion with W.R. Grace so far, liability has not been an issue. More discussions are underway.

Screening Plant Site

The disposal issue is not resolved because EPA does not have access to the mine. EPA is temporarily stockpiling debris and excavated soil in the long-shed. Instead of the expected 18" depth, EPA is finding contaminated soil and material down to a depth of 10 to 12'. The agency is therefore faced with removal of much more soil than was expected. The archeologist is currently receiving asbestos training and will start the required survey of the site next week. EPA is taking all the necessary abatement actions to keep dust levels and erosion to a minimum. EPA is also collecting daily air samples to verify the efficacy of protection measures.

Mine

W.R. Grace has treated the road up to its property with calcium chloride to abate dust. However, the County has closed Rainy Creek Road because of the fire danger. W.R. Grace is surveying the slumping tailings pile and developing a plan to reclaim it. DEQ will test ground water in the “Glory Hole” by drilling holes. It will also dig into it to determine what is in it. By the first week of September, DEQ should have a plan for reclaiming the Glory Hole.

CAG Member Comment - The County closed Rainy Creek Road two weeks ago because of fire danger. The County wants to know who is in the Rainy Creek drainage and when. No one should be in the Rainy Creek drainage.

Response - EPA and DEQ will meet with the County to discuss access to the mine via Rainy Creek Road.

Audience Question - Has a plan been developed for addressing the tailings slide into the creek?

Answer - Investigation of the slide is occurring; no plan has been developed yet.

Audience Question - W.R. Grace posted a bond, and \$400,000 of it was returned to W.R. Grace. Can we get the \$400,000 back?

Answer - No. The State required a \$467,000 bond from W.R. Grace to ensure reclamation at the mine. Of that amount, \$400,000 has been released, and the State can’t get it back. The \$67,000 is still being held to ensure reclamation of 125 additional acres at the mine.

Alan Springer Comment - W.R. Grace did not get \$400,000 back; in fact no money has changed hands between W.R. Grace and the State. The Company purchased an insurance policy to ensure that funds will be available to complete the required reclamation. As work occurs and a portion of the bond is released by the State, W.R. Grace reduces the amount of its insurance policy. Because

the \$400,000 bond was released, the policy currently reflects only the outstanding \$67,000 bond requirement.

Asbestos Conference

The conference is scheduled for September 21 - 23 in Libby.

Medical Screening

As of August 22, 5110 people have signed up for the medical screening, and 3,035 have been screened including 15 from Elko, Nevada.

ATSDR Report

Susan Muza reported on behalf of Agency for Toxic Substances and Disease Registry (ATSDR). Since Dr. Falk, ATSDR Assistant Administrator, and Dr. Sloan, Assistant Surgeon General, US Department of Health and Human Services (DHHS), met with the CAG on July 27, 2000, several federal and state agencies have had several conference calls. The agencies included: from DHHS, the Health Resources Services Administration (HRSA), the Substance Abuse and Mental Health Services Administration (SAMHSA), and the Administration for Children and Families (ACF); the Social Security Administration (SSA); from EPA, Region 8 and Headquarters; and the Montana Department of Public Health and Human Services. The purpose of the conference calls was to investigate existing federal and state programs to provide immediate, intermediate and long-term health care assistance to Libby. The immediate assistance objectives include needed follow-up to people in the medical screening program and mental health care support. The long-term objectives include a determination of long-term mental health issues and periodic follow-up medical testing and provision of specialty care drugs. Outreach to Libby people was also discussed to assure that they are receiving benefits due them under Medicare, Medicaid, and Social Security.

CAG Member Question - Will you please provide a written summary of the objectives, programs, and activities under discussion for short, intermediate, and long-term medical and mental health care treatment for Libby?

Answer - Yes, ATSDR will provide a written summary.

CAG Member Question - Will the federal government's commitment to providing this care include money or people or both?

Answer - Some money and some people.

At the next meeting, ATSDR would like to have about a half-hour to report on changes to the medical screening process after the initial round of screening is completed. The CAG agreed that this should be an agenda item at the next meeting.

CAG Member Question - When will the results from this round of screening be released?

Answer - Three months after completion of this round, screening results will be provided to all individuals. The three month period for individual results is necessary to read the large number of x-rays. Another three months will be required to compile, analyze, and summarize the composite results of all those screened.

CAG Member Comment - This period is too long. ATSDR and EPA should release preliminary results as soon as they are available.

The CAG as a whole agreed with the last comment and asked Susan Muza to report this view to ATSDR. Ms. Muza agreed to report it to Sharon Campolucci, ATSDR's Deputy Director of the Division of Health Studies in Atlanta, Georgia.

Goal Statement

At its August 10, 2000 meeting, the CAG tentatively identified the following goal statement.

Community leaders agree that a real solution for Libby must include:

1. Clean up all contamination and long-term monitoring;
2. Medical monitoring, care, and research;
3. Compensation for victims now and in the future; and
4. Restore business vitality.

CAG members at the August 10 meeting also agreed to discuss this statement with their various constituencies in the community so that they might take action on this statement at this meeting.

During the discussion of the goal statements, the CAG agreed to the following points:

- The four statements are goals and say nothing about how they would be implemented;
- Achieving the four goals would result in closure for W.R. Grace;
- The third statement does not limit people from pursuing individual law suits; and
- The word "all" in statement number 1 is intended to mean clean up of contamination on both private and public property.

*** CAG Action**

Twenty of the twenty-one CAG members present voted in favor of a seconded motion to adopt the four-point goal statement:

A solution for Libby must include:

1. *Clean up all contamination and long-term monitoring;*
2. *Medical monitoring, care, and research;*
3. *Compensation for victims now and in the future; and*
4. *Restore business vitality.*

Audience Comment - The CAG was set up as an advisory group. Now you are becoming an action group, and are adopting goals without consulting the community.

Response - Months ago (i.e. at its March 9, 2000 meeting), the CAG decided that its role or purpose should be expanded beyond its initial purpose of providing a means of communicating between EPA and the community to providing advice or recommendations to EPA and others. Taking the action on the goal statement is therefore not a change in the CAG's role. Also, the CAG identified the goal statement at its last meeting, and members had the assignment of consulting prior to this meeting with their various constituencies and being available to listen to input from community members about the goal statement. Finally, anyone in the community can become a CAG member, and the CAG has no legal authority to compel anyone to do anything.

*** CAG Action**

Twenty of the twenty-one CAG members present voted in favor of a seconded motion to support the County Commission's retention of an attorney that will develop coordinated remedies working within the context of the four-point goal statement adopted by the CAG.

Audience Question - Where will the money come from to pay for the attorney?

Answer - Not from county taxpayers dollars. The county will use other funding sources.

*** CAG Action**

The CAG voted unanimously in favor of a seconded motion to request that the County Commission research the possibility of designating the CAG as an official Commission advisory group charged with calling all interests together, formulating plans, and making recommendations to the Commission for addressing the asbestos problem.

CAG Member Question - Does this mean that the CAG will no longer function as an advisory committee for EPA?

Answer - No, the CAG agreed that it could perform both its existing function, providing a means of communication between EPA and the Libby community and advising EPA and other agencies and the Congress, and the new role described in the previous motion if the County Commission decides to assign it.

Audience Comment - The CAG should provide people in the audience a chance to ask questions and comment before taking actions on motions.

Response - The CAG agreed to direct its facilitator to provide such an opportunity before it takes actions on motions so long as doing so does not disrupt the meeting.

CAG Member Comment - The U.S. Institute for Environmental Conflict Resolution is an agency of the federal government that has funding and may be able to provide services to the CAG.

Response - The CAG directed its facilitator to contact the Institute's executive director to see what services might be provided and if she would be interested in making a presentation to the CAG.

Next Meeting

The next meeting is scheduled for Thursday, September 14, 2000 from 7 to 9:30 p.m. in the Ponderosa Room of the Libby City Hall. The extra half hour was added to provide for the ATSDR presentation. CAG members should come prepared to consider questions related to the appropriate CAG structure for achieving the four-point goal statement including organization, meeting frequency, formation of sub-committees, etc.

Appendix 1
CAG Member Attendance List
August 24, 2000

Members	Group/Organization Represented
Robert H. Foote	Libby Ministerial Association
Sandy Wagner	Libby Resident
Commissioner Rita Windom	Lincoln County
Commissioner John Konzen	Lincoln County
Norita Skramstad	Asbestos Victims
Cyrus Lee	Kootenai Valley Head Start
Wilbur Wilson	County Council on Aging
Brad Black	Lincoln County Health Officer
Bob Dedrick	Asbestos Victim
George Bauer	City of Libby
David F. Latham	The Montanian
John Consten	Montana Department of Environmental Quality
Ron Anderson	Lincoln County Environmental Health
Gayla Benefield	LCAVRO
Leroy Thom	Former Grace Employee
Don Wilkins	Lumber & Sawmill Workers
Bob Tunis	Lincoln County Economic Development Corporation
Rick Palagi	St. Johns Lutheran Hospital
Kerry Beasley	St. Johns Lutheran Hospital
K.W. Maki	Libby Schools
Clinton Maynard	Libby Resident